

MINUTES

ALCOHOL AND TOBACCO COMMISSION

AUGUST 1, 2006

CALL TO ORDER/NOTING OF QUORUM

Chairman Heath called the meeting to order and noted the quorum and the attendance. Present were Commissioner Sturtz and Commissioner Guthrie. Also in attendance were Executive Secretary Choe and Superintendent Huskey.

Lisa Goldner of Bose McKinney and Evans, Mark Webb, John Barnett, Debbie Scott and Jeff McKean were present as observers.

DISPOSITION OF MINUTES

Commissioner Sturtz moved to approve the minutes that were submitted for the July 11 and July 18, 2006 meetings. Motion seconded by Commissioner Guthrie and it was unanimously approved.

HEARING JUDGE'S RECOMMENDATIONS

PAD FORMS – Commissioner Guthrie moved to approve the parties agreed disposition forms that were submitted for the August 1, 2006 meeting. Motion seconded by Commissioner Sturtz and it was unanimously approved.

CONSIDERATION OF APPLICATIONS

I incorporate by reference these lists of permits for renewal, which have been recommended by local boards and reviewed by said staff with the authority of the Commission, and hereby move for approval of same and the inclusion of these lists as part of the minutes by exhibit. Motion seconded by Commissioner Guthrie and it was unanimously approved.

I incorporate by reference these lists of permit applications for a new permit or application for changes in location or ownership or both of existing permits, which have been recommended by local boards and reviewed by at least two Commissioners and hereby move for approval of same and inclusion of these lists as part of the minutes by exhibit. Motion seconded by Commissioner Guthrie and it was unanimously approved.

I incorporate by reference these lists of permit applications for catering and hereby move for approval of same and the inclusion of these lists as part of the minutes by exhibit. Motion seconded by Commissioner Guthrie and it was unanimously approved.

I incorporate by reference these lists of permits to be placed in escrow for not more than one year, which have been reviewed and recommended by a Commissioner as appropriate for first or second year escrow and hereby move for approval of same and the inclusion of these lists as part of the minutes by exhibit. Motion seconded by Commissioner Guthrie and it was unanimously approved.

Four hundred forty-four (444) renewals approved, forty-four (44) new and/or transfer permits approved, eleven (11) permits approved for catering, two (2) permits approved for first year escrow, six (6) permits approved for second year escrow, four (4) permits approved for third year escrow, two (2) permits approved for fourth year escrow and five (5) permits approved for fifth year escrow.

RENEWAL LETTERS AND WAIVER OF FEES

Commissioner Guthrie moved to approve the renewal letters and the waiver of fees for letters of extension for the preceding weeks. Motion seconded by Commissioner Sturtz and it was unanimously approved.

APPLICATIONS FOR DISCUSSION

RR71-02950 KELLY-ROSS CORP., d/b/a KELLY'S PUB – Chairman Heath noted this is a type 210 transfer of ownership application with the local board voting four (4) to zero (0) to approve.

Commissioner Guthrie moved to uphold the local board's recommendation and approve the transfer. Motion seconded by Commissioner Sturtz and it was unanimously approved.

RR73-94225 FARLEY'S 44 BOWL, INC. – Chairman Heath noted this is a type 112 transfer of ownership application with the local board voting three (3) to zero (0) to approve.

Commissioner Guthrie moved to table this matter until the parties can settle their issues regarding the consent to transfer. Motion seconded by Commissioner Sturtz and it was unanimously approved.

RR29-18676 GAMINOS, INC. – Chairman Heath noted this permittee is requesting that this type 209 permit be converted to a type 210 permit due to annexation into the city limits.

Commissioner Guthrie moved to approve the conversion. Motion seconded by Commissioner Sturtz and it was unanimously approved.

DL15-22378 DILLSBORO BP, INC. – Chairman Heath noted this is a new type 116 application with the local board voting four (4) to zero (0) to disapprove.

Commissioner Guthrie moved to uphold the local board's recommendation and deny the new permit. Motion seconded by Commissioner Sturtz and it was unanimously approved.

RH02-91358 ORITE HOTELS OF INDIANA, INC., d/b/a QUALITY HOTEL – Chairman Heath noted this is a type 215 transfer of ownership application with the local board voting four (4) to zero (0) to approve.

Commissioner Guthrie moved to uphold the local board's recommendation and approve the transfer. Motion seconded by Commissioner Sturtz and it was unanimously approved.

INACTIVE FILES

Commissioner Guthrie moved to make fifteen (15) permits inactive. Twelve (12) permits are not subject to auction and three (3) permits are subject to auction. Motion seconded by Commissioner Sturtz and it was unanimously approved.

OLD BUSINESS

No Old Business

NEW BUSINESS

No New Business

POLICY DETERMINATIONS

No Policy Determinations

UNDER ADVISEMENT

Nothing Under Advisement

ANNOUNCEMENTS

No Announcements

ADJOURNMENT

Commissioner Sturtz moved to adjourn the meeting. Motion seconded by Commissioner Guthrie and it was unanimously approved.

Approved this _____ day of _____, 2006.

DAVE HEATH, CHAIRMAN

DAVID JOHNSON, VICE CHAIR

DALE STURTZ, COMMISSIONER

FRANK GUTHRIE, COMMISSIONER